

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

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**Court Minutes**

**February 15, 2010**

There are no minutes for this date

**February 16, 2010**

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Nicholson, Associate Justice; Raye, Acting Presiding Justice; Robie, Associate Justice; and Haskett, bailiff.

**C059588      DAVIS v. BOARD OF CHIROPRACTIC EXAMINERS**

Cause called. William J. Kopeny argued for appellant. G. Michael German, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:13 a.m., the court recessed until 9:30 a.m., Friday, February 19, 2010.

**C059600      THE PEOPLE v. BILL KECK      (Not For Publication)**

The appeal is dismissed.

CANTIL-SAKAUYE, J.

We Concur: Blease, Acting P.J.  
Robie, J.

**C059812      THE PEOPLE v.      (Not For Publication)  
RICKY LYNN WILLIAMS et al.**

The judgments are affirmed.

ROBIE, J.

We Concur: Blease, Acting P.J.  
Nicholson, J.

**C062404      THE PEOPLE v.      (Not For Publication)  
CARLOS BONILLA**

The judgment is affirmed. The trial court is directed to dismiss the charges to implement the plea bargain, state the reasons therefor in the minutes, and forward to the Department of Corrections and Rehabilitation a new abstract of judgment.

ROBIE, J.

We Concur: Hull, Acting P.J.  
Butz, J.

**COURT OF APPEAL  
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**Court Minutes**

**February 16, 2010, Continued**

**C063091      THE PEOPLE v.      (Not For Publication)**  
**MARQUEES ANDREAUS BRADFORD**

The judgment is affirmed.

ROBIE, J.

We Concur:    Nicholson, Acting P.J.

Butz, J.

**C061397      In re K.T.; BUTTE COUNTY DEPARTMENT      (Not For Publication)**  
**OF EMPLOYMENT AND SOCIAL SERVICES**  
**v. L.M.**

The judgment (order denying de facto parent status) is affirmed.

HULL, J.

We Concur:    Blease, Acting P.J.

Robie, J.

**C062276      In re A.W.; SACRAMENTO COUNTY      (Not For Publication)**  
**DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. T.W. et al.**

The judgment (order terminating parental rights) is affirmed.

BUTZ, J.

We Concur:    Scotland, P.J.

Hull, J.

**C062345      In re P.H.; SACRAMENTO COUNTY      (Not For Publication)**  
**DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. S.H.**

The juvenile court's orders are affirmed.

BUTZ, J.

We Concur:    Scotland, P.J.

Hull, J.

**February 17, 2010**

**There are no minutes for this date**

**COURT OF APPEAL  
STATE OF CALIFORNIA  
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**Court Minutes**

**February 18, 2010**

<b>C058461</b>	<b>THE PEOPLE v. SONG VANG</b> The judgment is affirmed. NICHOLSON, J. We Concur: Sims, Acting P.J. Raye, J.	<b>(Not For Publication)</b>
<b>C058933</b>	<b>THE PEOPLE v. ROOSEVELT WARREN GILLETTE, II</b> The judgment is affirmed. SIMS, J. We Concur: Scotland, P.J. Butz, J.	<b>(Not For Publication)</b>
<b>C060435</b>	<b>THE PEOPLE v. ANDREW ROBERT JACKSON</b> The judgment is affirmed. SCOTLAND, P.J. We Concur: Blease, J. Sims, J.	<b>(Not For Publication)</b>
<b>C061064</b>	<b>THE PEOPLE v. WAYNE ALLEN LOCKHART</b> The judgment is affirmed. NICHOLSON, J. We Concur: Scotland, P.J. Robie, J.	<b>(Not For Publication)</b>
<b>C062326</b>	<b>THE PEOPLE v. ECTOR SANDOVAL</b> The judgment is affirmed. BUTZ, J. We Concur: Nicholson, Acting P.J. Robie, J.	<b>(Not For Publication)</b>
<b>C062443</b>	<b>THE PEOPLE v. NANCY VICTORIA ALCALA</b> The judgment is affirmed. BUTZ, J. We Concur: Hull, Acting P.J. Robie, J.	<b>(Not For Publication)</b>

**COURT OF APPEAL  
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**Court Minutes**

**February 18, 2010, Continued**

- C063254      THE PEOPLE v.      (Not For Publication)**  
**STEVEN ALLEN DEAY**  
The judgment is affirmed.  
NICHOLSON, Acting P.J.  
We Concur: Robie, J.  
Butz, J.
- C058709      THURMAN et al. v. BOSS      (Not For Publication)**  
The judgment is affirmed. Boss shall recover costs on appeal.  
RAYE, J.  
We Concur: Blease, Acting P.J.  
Butz, J.
- C061070      NORCAL INVESTMENT PARTNERS, L.P. v.      (Not For Publication)**  
**CITY OF REDDING et al.**  
The judgment is affirmed. Respondents shall recover their costs on  
appeal. (Cal. Rules of Court, rule 8.278 (a) (1) & (2) . )  
SIMS, J.  
We Concur: Scotland, P.J.  
Robie, J.
- C059817      In re J.Z.; THE PEOPLE v. J.Z.      (Not For Publication)**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur: Blease, J.  
Sims, J.
- C059950      In re KAYLA M.; SACRAMENTO      (Not For Publication)**  
**COUNTY DEPARTMENT OF HEALTH**  
**AND HUMAN SERVICES v. AARON M. et al.**  
The order of the juvenile court is affirmed.  
NICHOLSON, J.  
We Concur: Scotland, P.J.  
Robie, J.
- C061229      In re M.W.; THE PEOPLE v. M.W.      (Not For Publication)**  
The matter is remanded to the juvenile court with directions to exercise  
its discretion to declare the violation to be a felony or a misdemeanor.  
SCOTLAND, P.J.  
We Concur: Sims, J.  
Cantil-Sakauye, J.

**COURT OF APPEAL  
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**Court Minutes**

**February 18, 2010, Continued**

**C062209      In re K.C.; SACRAMENTO COUNTY      (Not For Publication)**  
**DEPARTMENT OF HEALTH AND HUMAN**  
**SERVICES v. O.J. et al.**

**C060897      In re A.C. et al.; SACRAMENTO COUNTY**  
**DEPARTMENT OF HEALTH AND HUMAN**  
**SERVICES v. P.C. et al.**

The orders of the juvenile court are affirmed.

BUTZ, J.

We Concur:    Hull, Acting P.J.

Robie, J.

**C062903      In re T.V.; SACRAMENTO COUNTY      (Not For Publication)**  
**DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. R.S. et al.**

The order terminating parental rights is vacated, and the matter is remanded with directions to the juvenile court to order the Department to issue new notices in compliance with the ICWA, which are to include all required information concerning the minor's Indian heritage in the possession of the department or which may be obtained by the Department through reasonable inquiry of appellants and their extended family. ...

NICHOLSON, Acting P.J.

We Concur:    Robie, J.

Butz, J.

**February 19, 2010**

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Sims, Associate Justice; Raye, Acting Presiding Justice; Cantil-Sakauye, Associate Justice; and Horner, bailiff.

**C054422      THE PEOPLE v. ROBERT KENNETH MEMORY et al.**

Cause called. Charles M. Bonneau argued for appellant. Christine Vento, court appointed counsel, argued for appellant. Clara M. Levers, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:17 a.m., the court recessed. At 10:19 a.m., the court reconvened with Sims, Associate Justice; Raye, Acting Presiding Justice; and Hull, Associate Justice.

**COURT OF APPEAL  
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**Court Minutes**

**February 19, 2010, Continued**

**C061097      In re the Marriage of JAYRAJ and BINDU NAIR.; NAIR v. NAIR**  
Cause called. Stephanie J. Finelli argued for appellant. Sara B. Allman argued for respondent. Cause submitted.

**CONSOLIDATED WITH**

**C062004      In re the Marriage of JAYRAJ and BINDU NAIR.; NAIR v. NAIR**  
Cause called. Stephanie J. Finelli argued for appellant. Sara B. Allman argued for respondent. Cause submitted.

At 10:57 a.m., the court recessed. At 11:03 a.m., the court reconvened.

**C059328      STONEGATE RIVERSIDE, LLC v. PAIK et al.**  
Cause called. Richard T. Treon argued and Maghann L. St. Thomas appeared only for appellant. John D. Fairbrook argued for respondent. Cause submitted.

**CONSOLIDATED WITH**

**C060640      STONEGATE RIVERSIDE, LLC v. PAIK et al.**  
Cause called. Richard T. Treon argued and Maghann L. St. Thomas appeared only for appellant. John D. Fairbrook argued for respondent. Cause submitted.

At 11:19 a.m., the court recessed. At 11:20 a.m., the court reconvened with Nicholson, Associate Justice; Raye, Acting Presiding Justice; and Hull, Associate Justice.

**C060831      BRONEY v. CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**  
Cause called. Jon-Paul Valcarengi argued for appellant. Niromi W. Pfeiffer, Deputy Attorney General, argued for respondent. Cause submitted.

At 12:08 p.m., the court recessed until 9:30 a.m., Monday, February 22, 2010.

**C060120      THE PEOPLE v. FRANCISCO MELGOZA** **(Not For Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur: Scotland, P.J.  
Hull, J.

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**Court Minutes**

**February 19, 2010, Continued**

- C061339      THE PEOPLE v.      (Not For Publication)**  
**JONATHON ROBERT VIANO**  
The judgment is affirmed.  
NICHOLSON, J.  
We Concur: Blease, Acting P.J.  
Sims, J.
- C061363      THE PEOPLE v.      (Not For Publication)**  
**PETER JAMES BOHNHOFF**  
The trial court is directed to prepare a probation order conforming to this opinion. The judgment is otherwise affirmed.  
NICHOLSON, J.  
We Concur: Sims, Acting P.J.  
Hull, J.
- C062132      THE PEOPLE v.      (Not For Publication)**  
**PHILLIP CRAIG SHARP**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur: Sims, Acting P.J.  
Raye, J.
- C058563      Conservatorship of the Person and      (Not For Publication)**  
**Estate of D.N.; ANN EDWARDS-BUCKLEY,**  
**As Public Guardian, etc. v. D.N.; L.H.**  
The order "suspending" (removing) L.H. as conservator and appointing the public guardian as successor conservator is affirmed. All parties are to bear their own costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (5) . )  
ROBIE, J.  
We Concur: Hull, Acting P.J.  
Butz, J.
- C060344      DEPARTMENT OF TRANSPORTATION v.      (Not For Publication)**  
**THE 49ER LEASE et al.**  
The appeal is dismissed. Caltrans shall recover its costs of appeal. (Cal. Rules of Court, rule 8.278 (a) (2) . )  
ROBIE, J.  
We Concur: Hull, Acting P.J.  
Butz, J.

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**Court Minutes**

**February 19, 2010, Continued**

**C061089      ACOSTA v. SACRAMENTO COUNTY      (Not For Publication)**  
**EMPLOYEES' RETIREMENT SYSTEM et al.**

The judgment is affirmed. Respondent Sacramento County Employees' Retirement System shall recover its costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (1) & (2) . )

SIMS, Acting P.J.

We Concur: Nicholson, J.

Raye, J.

**C062419      BURTON, JR. v. THE SUPERIOR COURT      (Certified For Publication)**  
**OF SACRAMENTO COUNTY; THE PEOPLE**

Having complied with the procedural requirements for issuance of a peremptory writ in the first instance, we are authorized to issue the peremptory writ forthwith. (See Palma v. U.S. Industrial Fasteners, Inc. (1984) 36 Cal.3d 171.) Let a peremptory writ of mandate issue directing respondent superior court to vacate its order denying petitioner's motion and to conduct further proceedings consistent with this opinion. Before entering a final ruling on petitioner's section 1054.9 motion, respondent superior court shall afford the district attorney's office the opportunity to file a response raising any objections to granting the relief requested and shall afford petitioner the opportunity to file a reply to the district attorney's response (if any is filed).

SIMS, Acting P.J.

We Concur: Nicholson, J.

Raye, J.

**C060999      In re I.M.; THE PEOPLE v. I.M.      (Not For Publication)**

The order continuing defendant as a ward of the court is affirmed, but the matter is remanded to the juvenile court for an express finding pursuant to Welfare and Institutions Code section 702 and California Rule of Court, rule 5.778 (f) (9) as to whether the offense under Penal Code section 12101, subdivision (a) was a felony or a misdemeanor.

BLEASE, J.

We Concur: Scotland, P.J.

Sims, J.

**C061485      In re A.C. et al.; SACRAMENTO      (Not For Publication)**  
**COUNTY DEPARTMENT OF HEALTH  
AND HUMAN SERVICES v. L.C.**

The juvenile court's orders denying mother's section 388 petitions are affirmed.

ROBIE, J.

We Concur: Blease, Acting P.J.

Hull, J.



**COURT OF APPEAL  
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**Court Minutes**

**February 19, 2010, Continued**

**C061759      In re S.V.; BUTTE COUNTY DEPARTMENT      (Not For Publication)  
                 OF EMPLOYMENT AND SOCIAL SERVICES  
                 v. G.V.**

The orders of the juvenile court are affirmed.

SIMS, J.

We Concur:    Blease, Acting P.J.

Hull, J.

**C062206      In re KETTJA H. et al.; EL DORADO      (Not For Publication)  
                 COUNTY DEPARTMENT OF HUMAN  
                 SERVICES v. PETRA H.**

The orders of the juvenile court are affirmed.

NICHOLSON, J.

We Concur:    Scotland, P.J.

Raye, J.

**C064065      WELCH-BROWN v. STATE CONTROLLER'S OFFICE et al.  
                 BY THE COURT:**

Appellant's petition for rehearing is denied.

RAYE, Acting P.J.